

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NEW YORK**

Narine Ayala,

Plaintiff,

V.

Mercantile Adjustment Bureau, LLC

Defendant.

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Case No.

NOTICE OF REMOVAL

Pursuant to 28 U.S.C. §§ 1331, 1441, and 1446, Defendant, Mercantile Adjustment Bureau, LLC, (“Mercantile”), hereby removes the above captioned civil action from the Supreme Court of Kings County, New York, to the United States District Court for the Eastern District of New York. The removal of this civil action is proper because:

1. Mercantile is a defendant in a civil action filed by plaintiff, Narine Ayala (“plaintiff”), in the Supreme Court of Kings County, New York, captioned as *Narine Ayala v. Mercantile Adjustment Bureau, LLC*, Index No. 013340 (hereinafter the “State Court Action”).

2. Pursuant to 28 U.S.C. §§ 1331, 1441, and 1446 Mercantile removes the State Court Action to this Court, which is the federal judicial district in which the State Court Action is pending.

3. The Complaint in the State Court Action (hereinafter the “State Court Action Complaint”) asserts claims under the federal Fair Debt Collection Practices Act (“FDCPA”), 15 U.S.C. § 1692, *et seq.*

4. Removal of the State Court Action is proper under 28 U.S.C. § 1441. If the action had originally been brought in this Court, this Court would have original, federal question jurisdiction over plaintiff’s FDCPA claims pursuant to 28 U.S.C. § 1331.

5. Pursuant to 28 U.S.C. § 1446(b), Mercantile has timely filed this Notice of Removal. Mercantile was served with process on June 26, 2017. This Notice of Removal is being filed within 30 days from service of the Complaint on Defendant.

6. As of the date of this filing, Mercantile is the only named defendant.

7. Attached hereto as **Exhibit A** and incorporated by reference as part of this Notice of Removal is a true and correct copy of the Complaint filed in the State Court Action. No further proceedings have taken place in the State Court Action.

8. A copy of this Notice of Removal is being served upon plaintiff and filed concurrently with the Supreme Court of Kings County, New York.

9. The Supreme Court of Kings County, New York is located within the Eastern District of New York. Therefore, venue for purposes of removal is proper because the United States District Court for the Eastern District of New York embraces the place in which the removed action was pending. *See* 28 U.S.C. § 1441(a).

10. Removal of plaintiff’s State Court Action is proper under 28 U.S.C. §§ 1441 and 1446.

WHEREFORE, Mercantile Adjustment Bureaus, LLC, hereby removes the State Court Action to this Honorable Court.

Respectfully Submitted,

/s/ Aaron R. Easley
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*Attorney for Defendant
Mercantile Adjustment Bureau, LLC*

CERTIFICATE OF SERVICE

I hereby certify that on this 26th day of July, 2017, a copy of the foregoing **Notice of Removal** was electronically filed with the Clerk of the Court, United States District Court for the Eastern District of New York and served upon the following via E-mail and U.S. Mail:

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Attorney for Plaintiff

/s/ Aaron R. Easley
Aaron R. Easley, Esq.